

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

DERRICK GUYTON

PETITIONER

V.

CIVIL ACTION NO.1:10CV54-SA-JAD

CHRISTOPHER EPPS, et al.

RESPONDENTS

**FINAL JUDGMENT**

On consideration of the file and records in this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated August 18, 2010, was on that date duly served by first class mail upon the Petitioner, and the attorneys of record for the Respondents; that more than fourteen days have elapsed since service of said Report and Recommendation, and that no objection thereto has been filed or served by said parties. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated August 18, 2010, be, and it is hereby, approved and adopted as the opinion of the Court;
2. Respondent's Motion to Dismiss is GRANTED; and
3. Guyton's Petition for Writ of Habeas Corpus is hereby dismissed without prejudice for failure to exhaust state remedies.

THIS, the 16th day of September, 2010.

/s/ Sharion Aycock  
U.S. DISTRICT JUDGE